

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of

GEORGE, et al.

Serial No.: 10/728,864

Group Art Unit: 2444

Filed: December 8, 2003

Examiner: Cheema, U.

For: SYSTEM FOR ANALYZING WEB CLIENT DIALOG

Commissioner of Patents
Alexandria, VA 22313-1450

APPELLANTS' REPLY BRIEF ON APPEAL

Sir:

Appellants herein respectfully reply to the Examiner's Answer mailed on October 20, 2008, by noting that the rejection fails to establish a *prima facie* rejection, since there is no capability in Jawahar to attach a URL that directs all inbound messages and outbound messages to an intermediary set up specifically for capturing the dialog. This mechanism, described in dependent claims 6 and 7, permits the comprehensive capture of the dialog, as required in the independent claims, including the ability to continue capture of the dialog even when the user meanders to another web site, as required by claims 10, 11, 13, 18, and, particularly, independent claim 30.

Therefore, even if the prior art evaluation currently of record is acceptable for independent claim 1 under the latitude of a "broadest reasonable interpretation", the evaluation certainly breaks down as the terminology is further developed in claims depending from claim 1. The analysis certainly breaks down in the analysis of independent claim 30, since Jawahar does not use the mechanism described in the present invention, wherein an intermediary is set up and all subsequent dialog is directed to this intermediary by adding the intermediary's URL to all inbound and outbound portions of the dialog, including portions involving web sites other than that originally contacted by the user.

In order to confirm the current rejection based on anticipation, the Board must be able

to point positively to precise locations in Jawahar for each and every element of each and every claim, including all dependent claims. This prior art reference clearly fails to add an intermediary's URL to dialog messages, as this capability is explained at lines 13-16 of page 13 of the specification. This mechanism of modifying dialog messages by adding the intermediary's URL applies even if the user moves to another unrelated web site, as explained beginning at line 12 of page 24.

As further explained beginning at line 16 of page 12 of the specification, this unique capability of adding the URL of an intermediary is made possible as being a specific application of the assignee's (i.e., IBM's) Web Intermediaries (WBI) component, as further described at www.alphaworks.com.

There is no such corresponding mechanism in Jawahar, so there is correspondingly no comprehensive capture of a dialog demonstrated by this reference, as this terminology is defined in the specification and various claims, particularly independent claim 30.

In view of the foregoing, Appellants submit that claims 1-30, all the claims presently pending in the application, are clearly enabled and patentably distinct from the prior art of record and in condition for allowance. Thus, the Board is respectfully requested to remove this anticipation rejection of claims 1-30.

Please charge any deficiencies and/or credit any overpayments necessary to enter this paper to Assignee's Deposit Account number 50-0510.

Respectfully submitted,



Dated: December 22, 2008

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